

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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HUA JING GAO	:
	:
Plaintiffs,	: <u>ORDER</u>
	:
-v.-	:
	: 22 Civ. 3722 (JLR) (GWG)
L&L SUPPLIES, INC et al.,	:
	:
Defendants.	:
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**GABRIEL W. GORENSTEIN, UNITED STATES MAGISTRATE JUDGE**

As stated at the hearing today, the motions of Mohammad Gangat to withdraw as attorney for the defendants (Docket ## 33 and 37) are granted. The Clerk is directed to terminate the appearance of Mohammad Gangat. Mr. Gangat is directed to transmit a copy of his file to defendants.

Defendants Youpeng Li and Susan Liang shall proceed pro se. The Clerk is directed to indicate their email address on the docket sheet (same address or each of these two defendants): [houseprofessional2020@gmail.com](mailto:houseprofessional2020@gmail.com)

Because defendant L&L Supplies, Inc. does not have an attorney and does not plan to obtain one, it is deemed to be in default. See Grace v. Bank Leumi, 443 F.3d 180, 192 (2d Cir. 2006) (“it is settled law that a corporation may not appear in a lawsuit against it except through an attorney, and that, where a corporation repeatedly fails to appear by counsel, a default judgment may be entered against it pursuant to [Fed. R. Civ. P. 55]”).

Mr. Gangat’s motion to adjourn the conference (Docket # 43) is denied as moot.


With regard to the discovery schedule, the existing schedule is modified such that all discovery shall be completed by October 11, 2023, and any motion for summary judgment is returnable before Judge Rochon, shall comply with her Individual Practices, and shall be filed by October 25, 2023.

With regard to Ms. Liang’s request to dismiss the case as stated in Docket # 41, Ms. Liang is free to file a motion for judgment on the pleadings under Rule 12(c) of the Federal Rules of Civil Procedure. Any such motion is returnable before Judge Rochon and shall follow her Individual Practices. It is strongly suggested that Ms. Liang consult with the Court’s legal clinic ((212) 659-6190) before filing any such motion. The letter she filed does not comply with the requirements of such a motion since it refers to facts outside the Complaint and would have to be summarily denied.

Plaintiff's attorney, David Stein, is directed to email a copy of this Order to defendants forthwith. Mr. Stein is also directed to supply the defendants with a copy of the Complaint, the Answer and any discovery disclosures already made.

SO ORDERED.

Dated: April 26, 2023  
New York, New York

  
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GABRIEL W. CORENSTEIN  
United States Magistrate Judge